

**REMARKS**

In accordance with the foregoing claims 1, 3, 6, 9, 19-21, 25 and 26 have been amended, claims 2, 8, 23 and 24 have been canceled without prejudice or disclaimer and claims 30-33 are newly added and claims 1, 3-7, 9-22, and 25-33 are pending and under consideration. No new matter is presented in this Amendment.

**REJECTIONS UNDER 35 U.S.C. §102:**

Claims 1-3, 6-17 and 19-20 are rejected under 35 U.S.C. §102(b) as being anticipated by Salto et al. (U.S. Patent 5,513,157). The rejection is respectfully traversed and reconsideration respectfully requested.

For the purpose of review, Saito discloses a loading apparatus for disc recording mediums and includes a transfer member, a drive unit, a detector and a controller. (Saito, Abstract). In Saito, the transfer member moves the disc from the changing position to the recording/reproducing position, the drive unit has a rotary drive member to drive the transfer member, the detector detects the rotation of the rotary drive member and the control member controls the rotation of the rotary drive member based upon the detector. (Saito, col. 2, lines 35-45). As such, Saito discloses a method of opening a tray of an optical disc changer that includes a plurality of disc mounting recesses, on which a disc may be loaded. (Saito, Abstract, FIG. 14).

With respect to claim 1, as amended, of the present application, FIG. 14 of Saito discloses that two successive, empty disc mounting recesses are in an exposure position so that discs can be simultaneously mounted on the recesses. However, FIG. 14 of Saito does not disclose that a tray of an optical disc changer is moved to the above described position when the tray is opened if a tray open command to mount two discs simultaneously is input by a user. Figure 14 of Saito illustrates an apparatus having a disc mounting tray exposed, but does not disclose any information regarding a tray open command to mount two discs simultaneously. Furthermore, Saito, in describing FIG. 14 at col. 3, lines 65-67, states that "FIG. 14 is a schematic view showing a state where the turntable is somewhat rotated from the state shown in FIG. 13," wherein FIG. 13 shows a disc tray being withdrawn when the disc player is in a

playback state. In providing further detail on FIG. 14, Saito states, at col. 12, lines 58-60, that "in this embodiment, the rotational angle of the turntable is controlled so that the two optical discs may be replaced at once by other ones." However, preceding this statement, Saito discloses how the disc tray enters such a status, stating, at col. 12, lines 29-42, that "[w]hen the disc player is in play and the operating button 3b is turned on, the loading motor 32 is rotated in the reverse direction... Then, as shown in FIG. 14, the turntable 4 is rotationally driven by the table rotating motor 18 to expose the addresses 2 and 3 outside." Additionally, Saito, at col. 5, lines 5-6, discloses the operating button 3b to be "an operating button 3b for operating retraction or ejection of the disc tray 2." Consequently, as Saito discloses the operating button being turned on to expose two disc mounting recesses, Saito does not disclose moving two successive, empty disc mounting recesses to an exposure position if a tray open command to mount two discs simultaneously is input by a user because the operating button is used to eject the disc mounting tray exposing two disc mounting recesses whether or not they are successive and empty. Therefore, it is respectfully asserted that Saito does not disclose, teach or suggest features as recited in claim 1, as amended, of the present application.

Furthermore, with respect to claim 1, as amended, of the present application, the Examiner, at item 2, pg. 3, of the Office Action, asserts that Saito discloses searching for two successive, empty mounting recesses if the tray open command is applied by stating that "this method is inherently accomplished with the 'skip' function," as disclosed in col. 5, lines 5-9 of Saito. As noted above, Saito, at col. 5, lines 5-9 discloses "an operating button 3b for operating retraction or ejection of the disc tray 2, a skip button 3c for rotating a turntable 4 held rotatably on the disc tray 2, and other buttons and the like." As such, the skip button 3c is for rotating the turntable 4, meaning that depressing the skip button will rotate the turntable tray that holds the disc mounting recesses. Because the skip button 3b is disclosed as merely rotating the turntable, it does not disclose searching for two successive, empty disc mounting recesses because, as disclosed above, the rotation of the turntable is not dependent upon or related to the condition of two successive, empty disc mounting recesses. As such, the Examiner mistakenly asserts inherency to the skip button 3c beyond what is disclosed in Saito, namely that depressing the skip button 3c will rotate the turntable. Thus, as Saito discloses rotating the turntable through a skip button 3c, Saito does not disclose searching for two successive, empty disc mounting recesses if the tray open command is applied. Additionally, because Saito does not disclose searching for two successive, empty disc mounting recesses, it does not disclose

selecting the two successive, empty disc mounting recesses to be exposed when empty disc mounting recesses are found. Furthermore, regarding claim 1 as amended, Saito just discloses that two disc mounting recesses are placed at an exposed position for replacing discs regardless of whether the recesses are successively empty or not. Thus, Saito does not disclose searching for successively empty recesses. Therefore, it is respectfully submitted that Saito doesn't disclose, teach or suggest features as recited in claim 1, as amended.

Furthermore, Applicant respectfully asserts that dependent claim 3 is allowable at least because of its dependencies from claim 1. Therefore, it is respectfully submitted that claim 3 also distinguishes over the prior art.

With respect to claim 6, as amended, of the present application, Saito discloses inputting a tray open command to initiate an opening of a tray of the disc changer, wherein the tray including multiple disc mounting recesses, by disclosing an operating button 3b and a disc mounting tray as shown in FIG. 14 of Saito. However, Saito does not disclose determining whether the tray open command initiates a multiple disc mounting mode and opening the tray to expose multiple successive, empty disc mounting recesses if the command initiates the multiple disc mounting mode. The Examiner, at item 2 on pg. 3 of the Office Action, asserts that with respect to FIG. 14, which shows a multi-disc tray having two disc mounting recesses exposed, discloses that a "multiple disc mounting mode is determined by whether or not the user uses the skip button to rotate the tray in order to load more than one disc." Apparently, the Examiner is asserting that depressing a skip button is equivalent to determining whether the tray open command initiates a multiple disc mounting mode. However, depressing the skip button, as disclosed in Saito, merely rotates the turntable. As such, when the disc mounting tray is exposed, pressing the skip button may allow for more than one disc to be mounted while the tray is ejected, however, such action does not disclose a multiple disc mounting mode because the mounting mode in Saito is initiated by pressing an operating button 3b of Saito for "operating retraction or ejection of the disc tray 2 (Saito, col. 3, lines 5-6). As such Saito does not disclose determining whether the tray open command initiates a multiple disc mounting mode because no multiple disc mounting mode is disclosed in Saito. Therefore, it is respectfully asserted that Saito does not disclose, teach or suggest features as recited in claim 6, as amended.

Furthermore, Applicant respectfully asserts that dependent claims 7 and 9-14 are allowable at least because of their dependencies from claim 6. Therefore, it is respectfully submitted that claim 7 and 9-14 also distinguish over the prior art.

With respect to claim 15 of the present application, Saito discloses an optical disc changer comprising a rotatable roulette having a plurality of disc mounting recesses, a detection sensor to recognize the disc mounting recesses and determine whether a disc is mounted on each of them and a microprocessor to control the roulette motor according to commands inputted by the user. However, Saito does not disclose that "when the user inputs a multiple disc mounting command, the microprocessor responsively controls the roulette motor based on information received from the detection sensor so that multiple successive, empty disc mounting recesses are moved to loading/unloading positions. As noted above, the skip button 3c of Saito does not inherently accomplish moving multiple successive, empty disc mounting recesses to loading/unloading positions because the skip button 3c merely rotates a turntable/roulette having disc mounting recesses and as such does not disclose the above because it rotates the turntable/roulette in a manner with no concern to multiple successive, empty disc mounting recesses. Therefore, it is respectfully asserted that Saito does not disclose, teach or suggest features as recited in claim 15.

Furthermore, Applicant respectfully asserts that dependent claims 16 and 17 are allowable at least because of their dependencies from claim 15. Therefore, it is respectfully submitted that claim 16 and 17 also distinguish over the prior art.

With respect to claim 19, as amended, of the present application, Saito does not disclose determining whether the tray open command initiates a multiple disc mounting mode or a single disc mounting mode. The Examiner, at item 2, page 8, of the Office Action, asserts that FIG. 14 of Saito discloses that a "multiple disc mounting mode is determined by whether or not the user uses the skip button to rotate the tray in order to load more than one disc." In Saito, the skip button used to rotate the exposed tray is depressed after the tray is exposed and consequently, after the tray open command is input, or specifically in Saito, when the operating button 3b is depressed. Thus, Saito does not disclose determining whether the tray open command initiates a multiple disc mounting mode or a single disc mounting mode because Saito discloses one tray open command that is initiated with the operating button 3b. Additionally, with Saito not disclosing a tray open command initiating either a multiple disc mounting mode or a single disc mounting mode, Saito does not disclose exposing multiple successive, empty disc mounting recesses if the command initiates the multiple disc mounting mode because the tray open command of Saito does not initiate a multiple disc mounting mode. Therefore, it is respectfully asserted that Saito does not disclose, teach or suggest features as recited in claim 19, as

amended.

With respect to claim 20, as amended, of the present application, as noted above, Saito does not disclose determining whether the tray open command initiates a multiple disc mounting mode or a single disc mounting mode because the tray open command in Saito does not initiate a multiple disc mounting mode. The Examiner, at item 2, page 8, of the Office Action, asserts that Saito, with FIG. 14, discloses that "multiple disc mounting mode is determined by whether or not the user uses the skip button to rotate the tray in order to load more than one disc." In Saito, the skip button 3c used to rotate the exposed tray is depressed after the tray is exposed and consequently, after the tray open command is input by depressing the operating button 3b. As such, the Examiner is asserting that the skip button 3c of Saito initiates a multiple disc mounting mode. Even accepting arguendo that the skip button initiates a multiple disc mounting mode in Saito, such does not disclose the tray open command initiating a multiple disc mounting mode because, according to the Examiner's assertion and Saito, the skip button 3c used to rotate the disc tray is input after the operating button 3b of Saito initiates the tray open operation. Additionally, because Saito does not disclose a tray open command initiating either a multiple disc mounting mode or a single disc mounting mode, Saito does not disclose exposing multiple successive, empty disc mounting recesses if the command initiates the multiple disc mounting mode because the tray open command of Saito does not initiate a multiple disc mounting mode. Therefore, it is respectfully asserted that Saito does not disclose, teach or suggest features as recited in claim 20, as amended.

Claims 21-29 are rejected under 35 U.S.C. §102(b) as being anticipated by Hoshino et al. (U.S. Patent 5,742,571). The rejection is respectfully traversed and reconsideration respectfully requested.

For the purpose of review, Hoshino discloses a disc recording/reproducing apparatus having a tray for multiple discs supported by an apparatus body. Hoshino also discloses that the tray moves between a position housed inside the body and a position projected from the body, wherein the disc can be chucked while the tray is either projected, housed inside the body or moving between the two positions. (Hoshino, Abstract).

With respect to claim 21, as amended, of the present application, Hoshino does not disclose selecting a disc mounting mode selectable between a multiple disc mounting mode and a single disc mounting mode. The Examiner, at item 3, pg. 10 of the Office Action, asserts that

the method element recited in claim 21 is "inherently accomplished with the 'skip' function," as disclosed in Hoshino at col. 9, lines 26-46. Specifically, at col. 9, lines 41-46, Hoshino discloses "an operation button 3b for inserting and ejecting the tray 2, a skip button 3c for rotating a turntable 4 rotatably held by the tray 2." As such, Hoshino discloses two distinct features: 1) the operation button 3b to eject the tray from and return the tray to the body, and 2) a skip button 3c to rotate the tray. As such, the Examiner is incorrect in asserting inherency to the function of the skip button because the skip button 3c is disclosed in Hoshino to merely rotate the tray and is not used to select between two disc mounting modes. Even accepting *arguendo* that the skip button 3c changes the disc mounting mode, because skip button 3c merely rotates the tray, the tray opening method implemented by Hoshino, upon input of the operation button 3b, does not determine if the selected disc mounting mode initiates the multiple disc mounting mode to expose multiple disc mounting recesses. Furthermore, because there is no determination of the disc mounting mode in Hoshino, Hoshino does not disclose opening the tray according to the determining the selected disc mounting mode. Therefore, it is respectfully asserted that Hoshino does not disclose, teach or suggest features as recited in claim 21.

Furthermore, Applicant respectfully asserts that dependent claims 22 and 25-29 are allowable at least because of their dependencies from claim 21. Therefore, it is respectfully submitted that claims 22 and 25-29 also distinguish over the prior art.

**REJECTIONS UNDER 35 U.S.C. §103:**

Claims 4-5 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ryu (U.S. Publication 2004/0120226). The rejection is respectfully traversed and reconsideration respectfully requested.

In item 5, page 13, of the Office Action, the Examiner admits that Saito does not teach reproducing a first disc having a higher priority when a condition in which discs are mounted on the pre-selected successive, empty disc mounting recesses is determined to be in effect and does not teach reproducing a second disc when the reproduction of the first disc is completed, as recited in claim 4, and relies on Ryu to cure the deficiency. For the purpose of review, Ryu discloses a method of reproducing an optical disc that has a plurality of titles and which can perform an all disc repeat play operation or an all disc successive play operation on discs loaded in a multi-disc changer (Ryu, pars. 0002 and 0013). The disclosure in claim 18 of Ryu comprises four main steps, as summarized here: a) a multi-disc changer identifying a type of a

specific disc when an all disc repeat play mode is set and when a plurality of discs are loaded in the changer that waits at a menu before and after DVD reproduction; b) if the identified disc type is a DVD, forcibly reproducing any of the plurality of titles on the DVD as per the navigation information on the DVD; c) forcibly terminating reproduction when the title reproduction is complete; and d) rotating the multi-disc tray in order to move the disc seated in the next slot into a position readable by the optical pickup. As the examiner notes, Step d in claim 18 of Ryu suggests playing discs in the sequence in which the discs were loaded.

However, with respect to claim 4 of the present application, the Examiner is incorrect in asserting that this sequential playing of discs suggests a method of reproducing data on discs in which priority is established among the discs. Step a of claim 18 in Ryu discloses identifying a type of a disc, i.e. DVD, CD or data disc, that is already mounted at a position that an optical pickup can read the disc, and thus, does not suggest determining whether the discs are mounted on the disc mounting recesses which are selected when the multiple disc mounting mode has been initiated because Ryu does not disclose a multiple disc mounting mode and only discloses identifying a type of disc, i.e. is the disc a DVD. Step b of claim 18 in Ryu discloses the reproduction of titles on a given DVD based on navigation information of the DVD and does not disclose or suggest reproducing a first disc having high priority, if discs are mounted on selected disc mounting recesses because Ryu bases reproduction on DVD navigation information as per DVD titles. Therefore, it is respectfully submitted that Ryu does not disclose, teach or suggest the features as recited in claim 4 of the present application.

Furthermore, Applicant respectfully asserts that dependent claim 5 is allowable at least because of its dependency from claim 5. Therefore, it is respectfully submitted that claim 5 also distinguishes over the prior art.

In item 5, pages 14-15 of the Office Action, the Examiner admits that Saito does not teach reproducing a first disc having a higher priority when a condition in which discs are mounted on the pre-selected successive, empty disc mounting recesses is determined to be in effect and does not teach reproducing a second disc when the reproduction of the first disc is completed, as recited in claim 18, and relies on Ryu to cure the deficiency. As noted above, Step b of claim 18 in Ryu discloses the reproduction of titles on a given DVD based on navigation information of the DVD and does not disclose or suggest reproducing a first disc having high priority, if discs are mounted on selected disc mounting recesses because Ryu bases reproduction on DVD navigation information as per DVD titles. Therefore, it is respectfully

asserted that Ryu does not disclose, teach or suggest features as recited in claim 18.

Dependent claims 30-33 are newly added. Support for claims 30-33 can be found in the specification of the present application at paragraphs [0026] through [0031] and in FIG. 5. The Applicants respectfully assert that dependent claims 30-33 are allowable at least because of their dependencies from claims 3, 19, 20 and 21. Additionally, with respect to claims 30-33, neither Saito, Hoshino nor Saito in view of Ryu teaches the features recited in the respective claims occurring before the opening the tray.

Claims 2, 8, 23 and 24 are cancelled without prejudice or disclaimer.

Based on the foregoing, this rejection is respectfully requested to be withdrawn.

**CONCLUSION:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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3/2/09

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